



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 1652
Examiner : R. Hutson
Serial No. : 08/808,031
Filed : March 3, 1997
Inventor : Sumiko Inouye
 : Mei-Yin Hsu
 : Masayori Inouye
 : Susan Eagle
 : Bert C. Lampson
 : Jung Sun
 : Jorge Vallejo-Ramirez
Title : PROKARYOTIC REVERSE
 : TRANSCRIPTASE



22469

PATENT TRADEMARK OFFICE

Docket: 1491-CIP10-00
(Formerly 377.5888P)

Dated: April 17, 2002

PETITION UNDER 37 C.F.R. § 1.47

Commissioner for Patents
Washington, DC 20231

Sir:

This Petition is being filed concurrently with a response to the Office Action mailed on November 16, 2001, including a Declaration under 37 C.F.R. §1.131. The Declaration under 37 C.F.R. §1.131 has been executed by all but one of the inventors. Inventor Jorge Vallejo-Ramirez, can not be reached for signature. Accordingly, Applicants are submitting this Petition under 37 C.F.R. §1.47 for acceptance of the 37 C.F.R. §1.131 Declaration without Mr. Vallejo-Ramirez's signature. After searching the existing files and alumni records of Rutgers University, the *alma mater* of Mr. Vallejo-Ramirez, we uncovered two addresses for Mr. Vallejo-Ramirez, we, however, are uncertain which is the more current. Accordingly, we have attempted to contact Mr. Vallejo-Ramirez at both of those addresses.

Enclosed herewith as part of this Petition, are copies of the returned express mail packages,

#42
S.P.
5/7/02
RECEIVED
MAY 03 2002
TECH CENTER 1600/2900

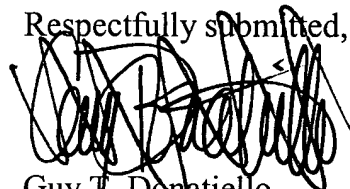
indicating that Mr. Vallejo-Ramirez was not known at either of those addresses. Additionally, we include a copy of the U.S. Postal Service web pages indicating that delivery of the packages was in fact attempted, but the packages remained unclaimed and were returned to sender.

Also, included herewith is a check in the amount of \$130.00 pursuant to 37 C.F.R. § 1.17(h).

Applicants respectfully submit that they have complied with all requirements of 37 C.F.R. § 1.47 and respectfully request that the Declaration under 37 C.F.R. §1.131 and any future Declarations or correspondence be accepted with less than all of the inventors signing.

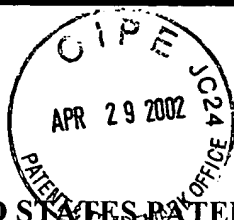
Early, positive action on this Petition is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Guy T. Donatiello", is written over the typed name.

Guy T. Donatiello
Reg. No. 33,167
Attorney for Applicants

GTD/MAP:gj
(215)563-1810



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Examiner	: R. Hutson	
Serial No.	: 08/808,031	
Filed	: March 3, 1997	
Inventor	: Sumiko Inouye	Docket: 1491-CIP10-00
	: Mei-Yin Hsu	(Formerly 377.5888P)
	: Masayori Inouye	
	: Susan Eagle	
	: Bert C. Lampson	
	: Jung Sun	
	: Jorge Vallejo-Ramirez	
Title	: PROKARYOTIC REVERSE TRANSCRIPTASE	

DECLARATION UNDER 35 U.S.C. § 1.131

Commissioner for Patents
Washington, D.C. 20231

Sir:

We, Sumiko Inouye, Mei-Yin Hsu, Masayori Inouye, Susan Eagle, Bert C. Lampson, Jung Sun and Jorge Vallejo-Ramirez, hereby declare that we are co-inventors in the above-identified application which benefits from a filing date of June 30, 1994;

that this invention was conceived in this country long prior to July, 1993, the publication date of Rice et al., entitled "Diversity of Retron Elements in a Population of Rhizobia and Other Gram-Negative Bacteria" Journal of Bacteriology;

that Bert Lampson, a co-inventor of this application is a co-author of the Rice et al. publication;

that we had reduced the invention to practice at least by January 19, 1993;

that we have worked substantially continuously with our attorney from January, 1993 to the time of the filing of the instant application;

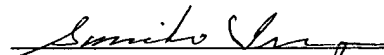
that we do not know and do not believe that this invention has been in public prior to this application; and

that we have never abandoned the invention.

We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Jan. 22 '02
Date


Sumiko Inouye, co-inventor

Date

Mei-Yin Hsu, co-inventor

Date

Masayori Inouye, co-inventor

Date

Susan Eagle, co-inventor

Date

Bert C. Lampson, co-inventor

Date

Jung Sun, co-inventor

Date

Jorge Vallejo-Ramirez, co-inventor

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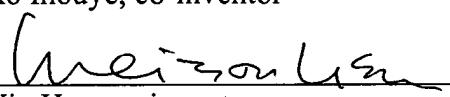
Date

Date

Date

Date

Sumiko Inouye, co-inventor



Mei-Yin Hsu, co-inventor

Masayori Inouye, co-inventor

Susan Eagle, co-inventor

Bert C. Lampson, co-inventor

Jung Sun, co-inventor

Jorge Vallejo-Ramirez, co-inventor

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Respectfully submitted,

Date

Sumiko Inouye, co-inventor

Date

Mei-Yin Hsu, co-inventor

1/25/02

Date

Masayori Inouye

Masayori Inouye, co-inventor

Date

Susan Eagle, co-inventor

Date

Bert C. Lampson, co-inventor

Date

Jung Sun, co-inventor

Date

Jorge Vallejo-Ramirez, co-inventor

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Sumiko Inouye, co-inventor

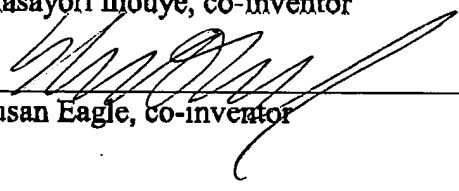
Date

Mei-Yin Hsu, co-inventor

Date

Masayori Inouye, co-inventor

Feb 4 2002
Date



Susan Eagle, co-inventor

Date

Bert C. Lampson, co-inventor

Date

Jung Sun, co-inventor

Date

Jorge Vallejo-Ramirez, co-inventor

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Sumiko Inouye, co-inventor

Date

Mei-Yin Hsu, co-inventor

Date

Masayori Inouye, co-inventor

Date

Susan Eagle, co-inventor

2/1/02

Date

Bert C. Lampson

Bert C. Lampson, co-inventor

Date

Jung Sun, co-inventor

Date

Jorge Vallejo-Ramirez, co-inventor

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Mei-Yin Hsu, co-inventor

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Masayori Inouye, co-inventor


Date

Susan Eagle, co-inventor

Date

Bert C. Lampson, co-inventor

Date



Jing Sun, co-inventor

Date

Jorge Vallejo-Ramirez, co-inventor